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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD



FMR CORP.,

Opposer,

v.

ERNST & YOUNG U.S. LLP,

Applicant.

Opposition No. 107,079



06-04-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #11

WITHDRAWAL OF OPPOSITION

Pursuant to the terms of a Settlement Agreement between the parties, Applicant has expressly withdrawn its opposed application, Serial No. 75/069,699, with prejudice. See Express Withdrawal of Application, a copy of which is attached. Accordingly, Opposer, FMR Corp., by and through its respective counsel, hereby withdraws the above-captioned opposition, with prejudice.

FMR CORP.

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Date: June 4, 2002

TRADEMARK TRIAL AND
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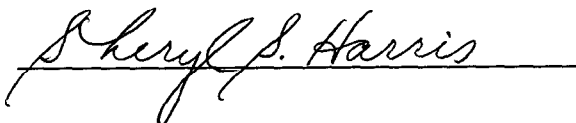
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing ***Opposer's Withdrawal of Opposition*** was served upon counsel for Applicant, by first class mail, postage prepaid, to:

Susan Upton Douglass, Esquire
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
New York, New York 10017

this 4th day of June, 2002.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ernst & Young U.S. LLP :
Serial No: 75/069,699 : Josette M. Beverly
Filed: March 8, 1996 : Examining Attorney
Mark: PRO PROSPER : Law Office 102
Our Ref: ARY 96/03301 :

EXPRESS WITHDRAWAL OF APPLICATION

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

In accordance with the terms of the Settlement Agreement dated as of May 15, 2002 between the Applicant and FMR Corp., in conjunction with Opposition No. 107,079, Applicant expressly withdraws Application Serial No. 75/069,699, with prejudice.

Dated: New York, New York
May 29, 2002

Respectfully submitted,

FROSS ZELNICK LEHRMAN
& ZISSU, P.C.

By: 

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"Express Mail" mailing label No. EV120717708US Date of Deposit May 29, 2002
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Susan Upton Douglass
(Printed name of person mailing paper or fee)


(Signature)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by prepaid, first-class mail upon Opposer's attorney, Leesa N. Weiss, Jacobson Holman, 400 Seventh Street, N.W., Washington, D.C., 20004 this 29th day of May, 2002.


Susan Upton Douglass